

REMARKS/ARGUMENTS

The office action of May 9, 2003 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-14 are pending. Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Berler (US 4,249,268) in view of Hoffman (US 3,257,666).

In response, the Applicants respectfully traverse the Examiner's rejection of claims 1-14 as being obvious over Berler in view of Hoffman and submit the following remarks.

Berler teaches attaching a decorative ornament 46, such as the letter "A" to the outside of a shirt through the use of hook elements on one side of the ornament 46 that attach to loop elements 44 on the outside of the shirt. Col. 3, lines 14-19. Berler does not teach or suggest several aspects of the present invention. For example, Berler does not teach or suggest adhesively attaching an apparel attachment member to protective equipment. Berler does not teach or suggest an apparel attachment member where the hook side of the apparel attachment member removably secures to the loops that are formed (naturally or through brushing) on the inside of the apparel. Berler also does not teach or suggest securing an item of apparel onto protective equipment. Nor does Berler teach or suggest using an acrylic adhesive to secure the apparel attachment member to the protective equipment. The benefits of these aspects of the present invention, missing from Berler, are set forth in the specification at paragraphs 5-7, 18-19 and 24. These benefits include, by way of example, preventing movement of the apparel relative to the protective equipment while being subject to high shear stresses caused by the apparel being grabbed, yanked or pulled providing effective repeated use of the apparel attachment member even after being exposed to moisture and dirt. The present invention also uses an acrylic adhesive that does not leave a residue on the protective equipment. Still other benefits and features exist with respect to the present invention that are not taught, suggested, or achieved by Berler as described in the specification at paragraphs 5-7, 18-19 and 24. Hoffman does not obviate the deficiencies in Berler.

Hoffman teaches sewing a patch onto a recoil pad where one side of the patch contains hooks. Col. 3, lines 15-23. Hoffman also teaches sewing a second patch containing loops to the

inside of a garment. *Id.* Only after these patches are sewn in place can the garment be placed over and secured to the recoil pad. As with Berler, Hoffman does not teach or suggest adhesively attaching an apparel attachment member to protective equipment where the hook side of the apparel attachment member removably secures to the loops that are formed on the inside of the apparel. Hoffman also does not teach or suggest using an acrylic adhesive to secure the apparel attachment member to the protective equipment. Because Berler and Hoffman do not teach or suggest all the aspects of the present invention, the present claims are believed to be nonobvious over these references and thus in allowable condition.

Consequently, it is respectfully submitted that the independent claims are in allowable condition and that all claims depending from these independent claims are allowable for the same reasons and for the additional limitations recited in those claims.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

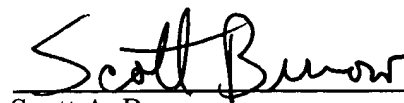
All rejections and objections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: August 11, 2003

By:



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By: 
(person *actually* depositing)

In the Application of: Turner et al.

Serial No.: 10/033,818

Filing Date: December 20, 2001

For: Device and Method for Securing Apparel to Protective Equipment

- (X) Transmittal (1 page) in duplicate
- (X) Amendment and Response to Office Action mailed May 9, 2003 (5 pages)
- (X) Return Receipt Postcard

Attorney Docket No: 05127.00035

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